

Lepage Environmental Services, Inc.

P. O. Box 1195 • Auburn, Maine 04211-1195 • 207-777-1049 • Fax: 207-777-1370

September 23, 2002

Mr. Orlando J. Monaco
Code EV21 LM
Naval Facilities Engineering Command, EFANE
10 Industrial Highway, Mail Stop #82
Lester, PA 19113-2090

Subject: BACSE Support for Navy's Selected Remedy at Site 7

Dear Mr. Monaco:

The purpose of this letter is to reinstate the Brunswick Area Citizens for a Safe Environment's (BACSE's) support of Alternative 2, the Navy's selected remedy for Site 7.

BACSE had withdrawn its support in the group's September 11, 2002 comment letter regarding the August 2002 Draft Final *Record of Decision for Site 7* (ROD). As stated in Comments 1 and 16 in the September 11th letter, BACSE had publicly supported the Navy's Proposed Remedy as presented in the PRAP. However, BACSE felt that the Navy's new position, as stated in the September 5th conference call, that the Navy would no longer accept regulatory agency approval of post-ROD documents, in effect changed the Alternative 2 that was presented in the March 2002 *Proposed Remedial Action Plan for Site 7* (PRAP). BACSE felt that, by waiting until the last minute to state the Navy's new policy, the Navy had nullified the public comment period for the PRAP, and that the Navy must reopen the PRAP public comment process and provide full disclosure to the public. Therefore, in Comment 16, BACSE withdrew its support of Alternative 2 and said that the text in the Community Acceptance section of the ROD (Part 2, Section X.B.9), which stated that Alternative 1 is not acceptable, and Alternative 2 is acceptable to the community, would have to be revised to reflect the lack of public acceptance for Alternative 2.

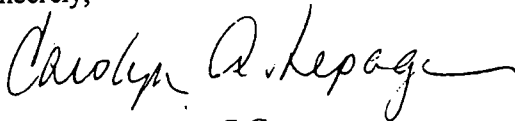
BACSE is now willing to go along with the remedy because of the revised ROD language that has been negotiated over the past two weeks. The language in the September 20th version of the Draft Final ROD (the latest version available for review) more clearly spells out the continued involvement of the Restoration Advisory Board and the regulatory oversight roles for the Maine Department of Environmental Protection (MEDEP) and the U.S. Environmental Protection Agency (EPA) in accordance with the Federal Facility Agreement. BACSE believes it is crucial to spell out the process to be followed in the future because the process is so intertwined with the components of the remedy.

Page 2 of 2, O. Monaco
September 23, 2002
BACSE Support of Site 7 Alternative 2

It is BACSE's understanding that this last-minute conflict over the ROD language arose because of an on-going dispute at the senior level between the EPA and the Department of Defense regarding regulatory agency authority (or the lack thereof) once a ROD is signed. However, BACSE was primarily concerned with the impact of the watered-down regulatory agency roles on the effectiveness of the remedy. Furthermore, the method and timing the Navy chose to communicate the new position was totally unacceptable to BACSE and severely diminished the trust and credibility the Navy has built over the years. BACSE also found it unacceptable for the Navy to change the rules so late in the game, especially given the push to get the Site 7 ROD signed by the end of September. The on-going inter-departmental dispute is counter-productive and does nothing to further the goal of cleaning up sites to address unacceptable risks. While the federal agency staff further up in the bureaucracy argue about conflicting policies, the people involved at the local level are trying to move forward to reduce risks, solve problems, and remediate sites.

Please do not hesitate to call me if you have any questions.

Sincerely,



Carolyn A. Lepage, C.G.
President

cc: Loukie Lofchie, BACSE
Tom Fusco, BACSE
Ed Benedikt, BACSE
Anthony Williams, NASB
Claudia Sait, MEDEP
Mike Barry, EPA
LAI Easterday, EA ES&T